



COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION MEETING MINUTES

JANUARY 25, 2005

PRESENT: Acevedo, Benich, Escobar, Lyle, Mueller, Weston

ABSENT: None

LATE: None

STAFF: Planning Manager (PM) Rowe, Senior Planner (SP) Linder, Senior Engineer (SE) Creer, and Minutes Clerk Johnson

Chair Weston called the meeting to order at 7:05 p.m., and led the pledge of allegiance.

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Johnson certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Chair Weston opened the public hearing.

With no members of the audience indicating a wish to speak to items not appearing on the agenda, the public hearing was closed.

MINUTES

The minutes of January 11, January 18, and January 25, 2005 will be included in the packets to be distributed for the February 8, 2005 meeting.

OLD BUSINESS:

1) APPROVE FINAL PROJECT EVALUATION SCORES FOR THE RESIDENTIAL CONTROL SYSTEM (MEASURE "C") BUILDING

Chair Weston explained that the Developers were asked to communicate with Staff if they wanted to have their projects divided between two cycles of allocations. He explained there were a lot of applications this year and a limited number of allocations; therefore, it had been suggested that splitting the projects between two cycles might be beneficial to the Developer. Commissioner Lyle spoke on the 'set asides' for the downtown and said there would be 25 in that grouping this year and 150 next year.

Chair Weston gave a brief overview of the four categories in the competitions this year: Micro, Small, Vertical Mixed, and Open Market.

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ALLOTMENTS FOR FISCAL YEARS 2006-2007 AND 2007-2008 COMPETITIONS

SP Linder was asked to provide the updated scores as a result of the Commissioner's scoring within the last two weeks, as well as any scoring, adjustments from Staff's review of those items directed by the Commissioners.

	(1/11)	(1/25)	(1/25)
MC-04-04: Diana-Chan	163	178	181
MC-04-08: Central-Delco	169.5	171.5	
MC-04-11: San Pedro-Delco	165	170	
MC-04-12: E. Dunne-Dempsey	180		179.5
MC-04-13: Barrett-Odishoo	184	180	
MC-04-14: Central-Hu	183.5	186	
MC-04-18: Monterey-Viola	176	174	
MC-04-19: E. Main-Thrust	179	182	
MC-04-21: Barrett-Syncon Homes	178.5	180.5	
MC-04-22: Jarvis-South Valley Developers	181.5	187.5	
MC-04-24: Cochrane-Borello III	151.5	151.5	
MC-04-25: Cochrane-Lupine	189.5	191.5	
MC-04-26: Cochrane-Mission Ranch	188.5	189	

Turning to the applications for which there were speakers, the following discussions commenced:

MC-04-23: Tennant-Gera

Chair Weston explained that the first item to be heard this evening would be MC-04-23: Tennant-Gera. This would be the only project which would receive information from speakers regarding the differences in Staff scoring, as this application had been incorrectly placed in the Open Market category, but should actually have been in the small category. Consequently before the Commissioners settled on the point scores, representatives of this application could make a presentation to the Commissioners.

MC-04-23 had been rescored with the adjusted score now: Total 158

Chair Weston reiterated the total score of 158 for MC-04-23 and invited the applicant to speak to the differences, as he explained how the items considered by the Commissioners had been sent back to Staff for rescoring.

George Gera, 13265 Uvas Rd., reminded the Commission that the project had been in the wrong competition. He said he had not previously heard the Staff responses and wanted a review and discussion, as a 'huge amount of planning went into the application'. Mr. Gera also said that the Commissioners had prematurely voted on the superior category for Livable Communities (b1) and that he felt that he deserved a revote.

Turning to the application, Mr. Gera called attention to:

- the Open Space category, 1b, page 12, which he said does provide a park and full amenities along the street. b1c on page 12 gave detail for parking, building position, and describes the large streetscape, which Mr. Gera said will reduce road noise and eliminates the need for a sound wall. "We will use courtyards to keep the noise down," Mr. Gera stated. He also told the other amenities planned:

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fence, courtyards, entry ways on Tennant Avenue, for which he requested two points

- Lot Layout where he indicated the criteria had been satisfied with the installation of a large center court which could be safely accessed by all residents. Mr. Gera said that in the Lot Layout, the City is incorrect, as this is zoned R2 and the side yards exceed the minimum for which he asked for another point
- Lot Layout: Staff had two major and two minor flaws listed, Mr. Gera said, but all the perimeter and interior space meet City guidelines. He noted that Staff has said the units lack private outdoor space, but insisted the private outdoor courtyards are on the plan, which should be worth two points.

Mr. Gera then turned to the Circulation Efficiency category.

Chair Weston reminded that all the issues being raised had been received by the Commissioners, and asked Mr. Gera to do a quick synopsis of the points.

Mr. Gera protested that he wanted to explain and answer questions.

Chair Weston pointed out that the issues are Open Space, Lot Layout, and Circulation Efficiency.

Mr. Gera said he didn't receive points for continuous frontage and felt that the location is laid out in a superior manner, as there is contiguous frontage along Tennant and Church. "We tried to contain traffic," Mr. Gera said, repeating he felt 'it was a superior design'.

Chair Weston asked the Commissioners if there was a wish to send the application back to Staff for reconsideration? PM Rowe reminded that any adjustments must be made at this meeting. "Staff is prepared to address questions and issues," he said.

Regarding the issues raised by Mr. Gera Chair Weston asked if there was interest in reconsideration of :

- Open Space, 1b, page 12 [No]
- Natural and Environmental [No]; however, Commissioner Benich expressed concern about the sound wall buffers on Tennant. He said, "I don't like sound walls – they are ugly." Commissioner Lyle asked Staff if the sound wall is required? SP Linder responded, "Under the current rules, yes." Chair Weston noticed that if the sound walls are in a particular zone, other mitigations will provide the barrier. SP Linder that advised that this is in a CEQA area. The application must meet the noise standard for the City and therefore, must have the sound wall. Commissioner Benich pushed for the point, but other Commissioners disagreed.
- Lot Layout: Commissioner Lyle said the application appears not to match the criteria . SP Linder said it did not match. It was not clear on the plan, but the buildings have zero setbacks, with no side yards.
- Continuous frontage issue: Mr. Gera said that along Tennant there would be no driveways (b6 on page 62). PM Rowe refers to downtown where residents go out the door, down the steps to the sidewalk, and while these units are 30 - 40 feet back, the principle is not applicable here.
- Circulation Efficiency: PM Rowe explained the points given under 3b.

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- Parks/Pathways: Commissioner Acevedo clarified the scoring in this category
- Lot Layout: Chair Weston referenced the lack of usable yards and the resultant issues. There are still two major flaws: the fragmented open space and the lack of driveway configuration, Chair Weston said.

Turning to the Livable Communities discretionary point available from the Planning Commissioners, Chair Weston explained that he felt it important to turn over a recommendation to the City Council, and indicated he wanted the City Council to send the matter back to the Planning Commission for assignment of the point.

PM Rowe advised that Mr. Gera requested that with the revised scoring, he has now asked that the Commissioners revote on the Livable Communities category. Chair Weston said he wanted to go through the process to review Livable Communities on all the applications. Other Commissioners protested, saying, "We can't do that." Commissioner Lyle reminded the Commission that the developers had been told that based on their communications to the Staff and subsequently the Commissioners, a specific point area could change, but there would not be a total revote. Chair Weston said the thought the scoring went to the City Council, and then back to the Commissioners. Commissioner Mueller informed that the scores had to be finalized at this meeting. Commissioner Mueller reminded that consideration of a vote on the Gera application had been permitted since the hearing was set for this meeting tonight and he (the applicant) specifically asked for a vote on Livable Communities.

THE COMMISSIONERS PROCEEDED TO VOTE WITH THE FOLLOWING RESULT:

MC-04-23: Tennant-Gera 0 votes 0 points [Total score: 158]

Chair Weston said he wanted to talk about giving the rest of the applicants a chance to argue on the Livable Communities point. PM Rowe advised, "There is not the luxury of time. The Commissioners must vote on final scores this night." PM Rowe then explained that the public notice for City Council hearings and the award of allotment completed by March 1, 2005 is set as the deadline by statute.

Chair Weston asked if the development community could appeal to the City Council for the one point? (Yes) PM Rowe explained the procedure. Commissioner Lyle commented that if one Commissioner changed a vote and all were brought back, it could well change the entire vote on the totals.

Chair Weston said he wanted to grant an extra point for lot adjustment for the excess fill in application MC-04-04: Diana-Chan.

Commissioner Escobar asked if others (applications) might be affected as well, stressing the need for consistency. PM Rowe responded there were none that he was aware of. Responding to a question, PM Rowe divulged that the variation was 'pretty close' with the range of 3 – 5-inches in excess of two feet of fill on two of the 91 lots.

Commissioner Acevedo said the range of 3 – 5-inches on the 92 lots is a small amount, but indicated favoring points for the application. Chair Weston and Commissioners Benich and Escobar agreed, with this score being raised to a total of 181.

Commissioners Lyle and Mueller asked that the record reflect the agreement was

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unanimous. Commissioner Mueller said he would point out for the record that the first letter had said 'necessary' response, but subsequent correspondence indicated that it was not, but that it was an error, but it appears they designed it on purpose, so the reports are conflicting. He also pointed out that the narrative says an error occurred.

Maureen Upton 950 Tennant Station, spoke to the Commissioners as a representative of this application. Ms. Upton asked the Commissioners to 'rethink Livable Communities, noting the project had received such a low score initially, but now that has been corrected. (163 178) "We have done many innovative things and are saving a historic house which will be used as the HOA headquarters, and presented a daycare/nursery school which can benefit the whole area. This project has been submitted several times and has great possibilities," Ms. Upton said.

Janet Martinez, 1650 Diana Ave., reiterated statements of January 18, saying this project has been 'in the works' since 1993 and is good for the community. She asked reconsideration of the Livable Communities category.

Bill McClintock, MH Engineering Co., P.O. Box 1029, spoke with the Commissioners regarding application MMC-04-07, saying he thought it 'pretty punitive' to score as low as it did because of the turnaround issue. Mr. McClintock indicated that the Police did feel this installation is adequate, as the City of Morgan Hill has established a standard for temporary turnarounds and this configuration has been applied in this turnaround. City Staff has said, Mr. McClintock informed, that the turnaround cannot be in a driveway. He then showed that a driveway can be used according to information provided by the City. Mr. McClintock said the way this project is designed, with utilization of 'down the street to make turnaround more easy' warrants the four points.

"This is new information, as we just got the Staff report," Mr. McClintock declared. Chair Weston announced that Mr. McClintock is suggesting reopening the Micro category because the Staff indicates the project does not meet the criteria. SP Linder explained that this project met the criteria in the part 1 score; however, the project contains a design flaw with the use of the private driveway as part of the turnaround. The result of having the turnaround at the location is a concern of safety. She continued that the application does not meet the design criteria and has not met the current standards under building design and contiguous development.

Commissioner Benich said that in view of the information presented by Mr. McClintock, he is willing to change his vote.

SP Linder advised that Staff had reevaluated and thought the design had major flaws. Commissioner Benich commented that he clearly disagrees.

Dick Oliver, 275 Saratoga Ave., #105, Santa Clara, spoke to the Commissioners regarding Cochrane- Mission Ranch (MC-04-26), referencing MC-04-04 as he spoke of the fill variation, saying "There are four lots out of 320 within Cochrane-Lupine (MC-04-25) and with two out of nine-one lots, you can see other project details applied to these, except we're already maxed out scoring in those categories."

Craig Miott, 2531 Santa Clara #175, spoke, saying he also wanted to clarify the issue of fill – and proceeded to speak about the detention pond in the Barrett-Syncom Homes

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Application (MC-04-21). Chair Weston clarified that the two issues are very different and therefore MC-04-21 was not eligible for review.

There were no other developers or representatives present to address specific detail of the Staff evaluations.

SE Creer addressed the temporary turnaround, noting that the City standards say such an installation 'may be used'. He noted that in this instance, both the Police and Fire personnel object to the design as presented. "What the City standards say," said SE Creer, "'may be used', but developers must hold to Standards of not placing such installations 30-feet from the end of a court. Trying to make a swing such as that proposed causes concern with mostly Police and Fire, but it also applies to citizens looking at homes in the area. The temporary turnaround represented in this application as being in one space – with the Engineering saying the plan could have been flipped to meet the Standards would be possible. There is not an emergency issue here."

Responding to a question from Commissioner Acevedo, SE Creer said one of the issues in this case is the quality of life: the purchaser of the lot with the turnaround would most likely get very tired 3 – 4 - 5 years down the road, of having people pull into the drive and turn around. SE Creer said it would be an annoyance at the very least.

"Do any Commissioners want to reconsider this point?" Chair Weston inquired.

Yes: Commissioner Benich, the applicant got the Standards from Public Works

No: Commissioners Mueller (does *not* meet the template standard); Lyle; Escobar (does not meet the requirements of Public Works)

Chair Weston asked about the dimensions of the turnaround.

SE Creer responded the issue is that the turnaround is required to be at the end of a street – and this is not.

Commissioner Benich argued for the additional point, but did not receive support in his quest.

Commissioner Mueller said he had identified a concern in the Commissioners' discretionary vote: one thing not considered within the Livable Communities vote was whether the project got points in specified received categories a year ago. He indicated the thinking that might have influenced the vote if Commissioners would have had that information before them.

Commissioner Lyle gave indication that he did not think such reference would be of value in the current cycle. "Last year, there were many ~~varying factors~~ *required factors to be considered* and a complex formula for voting. This year we are really saying 'this is a superior project' – some ~~eases projects~~ *change* and it may or may not hold true that the former scores are ~~not terribly relevant~~ *relevant*. Last year's scores were so flawed, a comparison would be difficult."

Commissioner Benich suggested Commissioners may need to look at the subject for next year.

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Chair Weston commented that this year the Commissioners have been 'much more subjective'.

PM Rowe advised that the former scoring may be of some value if the methodology is the same, but if that methodology changes, then it may not be relevant.

Chair Weston stated that the applicant needs to show why the project is *superior* and indicated he didn't recall that many applicants had made an argument for superiority.

Commissioner Escobar said there was some limitation on his ability to speak to the issue, as he didn't get a chance to vote on many of the applications last year (due to the potential conflict of interest, as his residence was near many of the projects) so it may have be different next year. He also noted that, "Things differ in different projects and may not have the same impact this year, so the Commissioners could have different prospective." Commissioner Escobar indicated that 'if others think such data would be valuable, ok - but it may not be of value'.

Commissioner Lyle said it would require knowing or at least have some indication if the project was the same as last year, with perhaps some minor changes, but cautioned that some substantial items are vastly different, and there may be the risk of looking at the different point system.

Chair Weston informed that the was impressed with the Applicant who went in for the pre-review, as it told him that the Applicant was prepared to be organized and was willing to listen to Staff. "I think it was also reflected in his plan," Chair Weston said.

Commissioner Lyle asked if any one of the Commissioners had heard anything that would change the vote they made last week? By informal straw vote, Chair Weston determined that there would be no change in the Livable Communities category. Commissioner Lyle reiterated an earlier statement, "If someone changed his vote, it could change the total for the project."

COMMISSIONER ACEVEDO OFFERED RESOLUTION NO. 05-02, APPROVING FINAL PROJECT SCORES, AS AMENDED WITH THE EXHIBITS AT THIS MEETING, IN THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM OPEN/MARKET RATE PROJECT COMPETITION FOR THE FISCAL YEAR 2006-2007 BUILDING ALLOTMENT, WITH THE FINDING AND CONDITIONS CONTAINED THEREIN. COMMISSIONER MUELLER SECONDED THE MOTION, WHICH PASSED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ESCOBAR, LYLE, MUELLER, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.

Chair Weston announced that he would step down for the upcoming vote due to a potential conflict of interest. Vice Chair Lyle assumed the gavel for agenda item #3 at 8:28 p.m.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 05-01, APPROVING THE FINAL PROJECT SCORES IN THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM OF SMALL, VERTICAL-MIXED USE AND MICRO PROJECT COMPETITIONS FOR THE FISCAL YEAR 2006-2007

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BUILDING ALLOTMENTS, WITH THE REVISED SCORE FOR MC-04-23 ALL AMENDED EXHIBITS COMMISSIONER ESCOBAR SECONDED THE MOTION, WHICH CARRIED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: WESTON.

Chair Weston resumed the gavel at 8:30 a.m., whereupon Commissioner Lyle was excused at 8:31 for the next item, due to a potential conflict of interest.

NEW BUSINESS:

**2) ZAA-04-01/
SD-04-16/
DA-04-08:
TILTON-
GLENROCK**

A request for approval of a precise development plan for the remaining 18 acre area within the Capriano subdivision located on the south side of Tilton Ave., east of Hale Ave. Also requested is the approval of a 42 lot subdivision and development agreement.

SP Linder advised that the applicant is not ready to discuss the matter at this meeting and has asked for a continuation to the February 8, 2005 Planning Commission meeting. SP Linder reminded that the Commission subcommittee - appointed January 11 – together with Staff, and the applicant had been meeting to work thru the 16 items [with eight of 16 agreed to, as completed in the subcommittee meeting] leaving eight for the Commissioners to consider on February 8. She also noted the Applicant is to resubmit the application to reflect the agreed-upon items.

Commissioner Acevedo recalled the Commissioners had been told that this matter was of some urgency and asked if the Applicant will be able to meet the agreed upon time lines? SP Linder reported the project is behind in schedule but there are no plans to distribute to other projects the allocations at this time.

Chair Weston spoke in favor of the February 8 discussion, saying, “We can’t comment on something we don’t have.”

PM Rowe noted the applicant was not present to speak to the matter, having requested the continuation.

Chair Weston opened the public hearing.

No persons were present who expressed a desire to speak to the matter. Chair Weston closed the public hearing.

COMMISSIONERS ACEVEDO/MUELLER MOTIONED TO CONTINUE THE MATTER OF ZONING AMENDMENT, ZAA-04-01/SUBDIVISION, SD-04-16/DEVELOPMENT AGREEMENT, DA-04-08: TILTON-GLENROCK TO THE FEBRUARY 8, 2005 PLANNING COMMISSION MEETING. THE MOTION PASSED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ESCOBAR, MUELLER, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: LYLE.

Commissioner Lyle returned to the dais at 8:32 p.m.

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OTHER BUSINESS:

- 3) EXPANSION OF PROPOSED GPA-04-09: MONTEREY-ALCINI AND GPA-04-10:E. DUNNE-BASANTY**
- A request to expand the application area for two proposed General Plan Amendment requests to include the area bounded by East Dunne Avenue, Bisceglia Avenue, Monterey Road and Church Street.
- PM Rowe gave the staff report, saying that there were two separate applications, but in view of the proximity, Staff decided to recommend that the Commissioners take the two at the same time, perhaps extending the downtown to the south. He gave an overview of the area, including the downtown allotment proposals to the south of the current applications. PM Rowe continued by telling the Commissioners that there was some mixed use (not designated, but in fact is) and if the area were given the design, it could encourage mixed-use development. PM Rowe continued that if the Commissioners agree with the joint proposal, then costs would be divided between the two applications. He said that the fees have been paid now and both applicants are prepared to move forward. "Staff needs the Commissioner's direction: if you agree that the expansion is 'ok' you need to let us know if the applicants will proceed as two individuals, or a single expansion within the General Plan."

Chair Weston opened the public hearing.

Robert Basanty, P.O. Box 41334, San Jose, told the Commissioners the location of the property (corner of Monterey-Alcini and E. Dunne-Basanty). The proposed change will amend the area from Industrial and Commercial to Mixed-Use. "Since East Dunne is a gateway, we plan to put in very nice architecture there, and plan to have retail offices on the first floor, with the second floor being apartments."

Commissioners discussed the following items with Mr. Basanty:

- there is to be an rail road underpass at that location (E. Dunne-Basanty), according to the General Plan, so the project he is proposing would not face Dunne Avenue
- the fact that when the General Plan revision is completed, the City must look at the railroad underpass and what the uses of the area would be
- the location of Basanty's property would be about 20 feet above the street grade and the visibility to Dunne would be drastically changed
- the Applicant(s) must account for the Dunne Avenue underpass
- in terms of how the City is looking at the General Plan, the use of the properties will be determined

The applicant said he was not aware of the fact that Dunne will eventually be 20 feet below grade.

With no others present indicating a wish to speak to the matter, the public hearing was closed.

PM Rowe advised that this evening the Commissioners should address the issue: should the General Plan area be expanded in processing the application, having noted the future grade separation.

COMMISSIONERS MUELLER/LYLE MOTIONED TO COMBINE THE APPLICATIONS.

Strong discussion regarding the motion ensued with the following points being raised:

- disagreement, as there are two different types of properties - one faces residential and one is related to commercial, each having their own merits
- the whole area can be utilized for mixed-use
- every piece of property in the designated area is impacted
- only the issue of combining the applications (single amendment to the General Plan or two different amendments is being considered)
- no vote on the merits, but only of amendments
- on returning with one plan, the application will become more meritorious
- looking at the area as a whole (one application) would be favored
- if two individual applications, within five months (+/-), there will be the need to consider the two General Plan Amendments; this is an opportunity to extend the downtown zoning
- a reminder that when General Plan was updated, this area was discussed extensively and the thought was to look at the proposed area as 'one big industrial strip' (the Basanty property on Dunne between Church and the railroad)
- if the City looks at the larger area, better evaluations can be made
- urging to 'look at the whole piece' for purposes of processing
- fact that the applications could be considered separately and the area stay as is

THE QUESTION WAS CALLED (ONE APPLICATION PAID FOR BY THE TWO APPLICANTS) WITH THE FOLLOWING RESULTS: AYES: ESCOBAR, LYLE, MUELLER, WESTON; NOES: ACEVEDO, BENICH; ABSTAIN: NONE; ABSENT: NONE.

**4) RDCS
QUARTERLY
REPORT**

Quarterly review of the progress of residential projects that have been awarded building allocations under the City's Residential Development Control System.

PM Rowe distributed the report and noted that a 'couple of the projects are behind schedule', calling attention to specific projects that are of disquiet. PM Rowe explained some of the difficulties that projects have been facing. He noted that the City Council members were aware that there were some difficulties with final maps due to liability insurance issues, and the Council dealt with those last week, as the delay is not the fault of the developers. The Council addressed all the final maps in process.

Commissioner Mueller asked if the Vierra hearing had been held yet? PM Rowe responded he thought it had been scheduled for January 11th, but had received no word from the City Attorney regarding the matter.

The Commissioners asked questions regarding specific projects:

- Central Warmington – behind schedule because of higher than anticipated/ acceptable pesticide residues -- work is proceeding
- Watsonville/South County Housing – working on final map insurance
- progress on the Villanova project [Commissioner Mueller noted that this particular project is the reason why the development agreements are being

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written as they are now]

- if there are differences in projects that are delinquent and those that are behind schedule [PM Rowe explained that behind schedule projects are not delinquent]

Discussion evolved to progress on the Housing Element (resubmitted and close to being approved); expectation that the approval will be forthcoming, as the State felt the vote of the public to be favorable.

Commissioner Lyle asked the record to show a correction on page 5 of the document: 37 50.

Commissioner Lyle asked if the Commissioners would look at a number of projects, where the only unit is the model. "We are still continuing these on the report, even though the only unit left not sold is the model built to show." PM Rowe explained that some projects keep the model to show for other phases of the development. Commissioner Lyle expressed the belief that, "If all that's left is a completed model, the project should be taken from the report, as it is now shown as incomplete."

Discussion was had of what is reported to the State in an instance referenced by Commissioner Lyle. PM Rowe explained the process for finalizing models.

Commissioner Mueller said he did not see any reason to keep those projects on the report. "There is nothing to come back to the Planning Commission, and the Open Market is completed except for a unit that has a temporary occupancy permit." ***BY CONSENSUS, COMMISSIONERS AGREED TO DROP PROJECT PHASES WHICH HAVE ONLY A COMPLETED MODEL LEFT.***

COMMISSIONERS BENICH/ACEVEDO MOTIONED TO APPROVE THE REPORT AS PRESENTED AND FORWARD THE DOCUMENT TO THE CITY COUNCIL FOR APPROVAL. THE MOTION PASSED WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; NONE WERE ABSENT.

ANNOUNCEMENTS:

PM Rowe reviewed the City Council actions at the January 19, 2005 meeting:

- Approved the Cochrane/Borello rezone as recommended by the Planning Commission
- Amendments to Downtown Plan: took action approving the text amendment to the General Plan and changes to land use map as recommended by the Commission
- Established the PUD for the R4/flea market site with one small text change; there was concern about the policy and the corrections will be returned to the Council for action
- Amendments for mixed-use at Diana/Butterfield/ Dunne were approved
- Parking standards – introduced the Ordinance on parking uses; however, it was pulled from the Consent Agenda and deferred
- Addressed the Parking standards and Sunsweet site with the potential for a mixed-use PUD at Dunne/Butterfield
- The issue of critical mass (sufficient commercial downtown)

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- The PUD on Sunsweet - generally went along with PC recommendations and will come back with specific recommendations
- The Commissioners had voted 3/3 (no action) on recommending a change from non-retail to commercial zoning at the Morgan Hill Medical across from the Post Office; the Council reversed the vote by a 3 - 2 not to amend the General Plan.
- Zoning amendment on the Tennant and Caputo location of a medical/dental office – the Council voted not to expand the application to include the Northeast corner. Ms. Lincoln's representative was present to present opposition to the plan, so the City Council excluded that corner.
- Continued discussions on the downtown building allotment and will discuss the matter at the January 26, 2005 Council meeting.

Chair Weston said that the Commissioners and Staff have gone through an intense period during the Measure C review with a lot of reading, discussion, and participation in the process. He declared it had been relatively smooth, considering the seriousness of granting the allotments, and thanked all. "I had been concerned but it went fairly smoothly," Chair Weston declared. "I offer congratulations to those who submitted good applications and received allocations." Chair Weston then suggested a different schedule might be possible next year with competitions being calendared earlier.

ANNOUNCEMENT: None

ADJOURNMENT: There being no further business to come before the Commissioners at this meeting, the meeting was adjourned at 9:13 p.m.

MINUTES RECORDED AND PREPARED BY:

JUDI H. JOHNSON, Minutes Clerk